

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ANTHONY L. ALLEN, JR.,

Petitioner,

v.

BRYAN D. PHILLIPS,

Respondent.

No. 2:22-CV-0011-DAD-DMC-P

ORDER

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus under 28 U.S.C. § 2254. Pending before the Court is Petitioner's motion for an extension of time. See ECF No. 50.

Petitioner seeks an extension of time to file an opposition to Respondent's motion to dismiss. The motion to dismiss was filed on March 13, 2023. Since that date Petitioner has requested and been granted two extensions of time, most recently on October 23, 2023, with an opposition due within 30 days. Petitioner's current motion was filed on February 16, 2024 – well beyond the latest due date for Petitioner's opposition. Because Petitioner has had ample time to oppose Respondent's motion to dismiss, and because the current request comes after expiration of the deadline to file an opposition, Petitioner's motion will be denied.

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1 Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for an extension
2 of time, ECF No. 50, is DENIED.

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4 Dated: February 21, 2024

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE